

### AMENDMENTS TO THE CLAIMS

Please amend the claims as follows:

~~Claims~~ WHAT IS CLAIMED IS:

1. (Original) A system for automated reply to a calling party who has initiated an incoming call from said calling party to a called party; said system comprising in the event said called party is indicated by said system as unavailable to answer said incoming voice call, said system instigating delivery of a pre-set visually communicable message to said calling party.
2. (Original) The system of Claim 1 wherein said visually communicable message is enabled as a graphically communicable message.
3. (Currently Amended) The system of Claim 1 ~~or Claim 2~~ wherein said visually communicable message is in the form of a transmission of digital data.
4. (Currently Amended) The system of Claim 1, ~~Claim 2 or Claim 3~~ wherein said incoming call is a voice call.
5. (Currently Amended) The system of ~~any one of Claims 1 to 3~~ Claim 1 wherein said incoming call is a text message or other visual message.
6. (Original) The system of Claim 1 wherein said graphically communicable message is an SMS message.
7. (Original) The system of Claim 2 wherein said graphically communicable message is a message containing both text and graphical symbols.
8. (Original) The system of Claim 2 wherein said graphically communicable message additionally includes voice or other audio information.
9. (Original) The system of Claim 2 wherein said graphically communicable message includes video content.
10. (Original) The system of Claim 1 wherein said called party is adapted to receive said incoming call on a hand-held device.
11. (Currently Amended) A system for automated reply as claimed ~~in any one of Claims 1 to 10~~ in Claim 1.
12. (Original) The system of Claim 11 wherein said called party is adapted to receive said incoming call on a fixed landline hand piece.

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13. (Original) The system of Claim 1 wherein said pre-set graphically communicable message is determined by said called party.

14. (Original) The system of Claim 1 wherein said pre-set graphically communicable message is determined by a third party.

15. (Original) The system of Claim 1 wherein said pre-set graphically communicable message is determined, in part, by a third party and in part by said called party.

16. (Currently Amended) The system of Claim 8 ~~or Claim 9~~ wherein said third party monetises said system by provision of content in said graphically communicable message which promotes said third party.

17. (Original) The system of Claim 1 wherein said pre-set graphically communicable message is pertinent to the activity of said called party which prevented said called party from answering said incoming call thereby to be informative to said calling party.

18. (Original) A method for automated reply to a calling party in the event that a called party is indicated as unavailable to answer and incoming call from said calling party; said method comprising the step of instigating delivery of a pre-set visually communicable message to said calling party.